

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2559 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- MARANCHI District- Patna

Sarwan Kumar Son Of Late Awadhesh Mahto Resident Of Mohalla- Rajesh Nager, P.S.- Maranchi, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uniti Kumari Daughter Of Gudar Mahto Resident Of Rajesh Nagar Ward No.10, P.S. - Maranchi, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumar Pallavi, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 02-07-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Maranchi P.S. Case No. 100 of 2023 registered for the offences punishable under Sections 376 and 316 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant on the false pretext of marriage and she was in love with the petitioner for about 10 years ago.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence. He



has falsely been implicated in this case. The victim is major girl. The statement of the victim has been recorded u/s 164 of the Cr.P.C. wherein she has stated that she solemnized marriage with the petitioner about four years ago. After marriage she went to her *sasural* and she resided there for one year. In her statement, she has not made any allegation of physical assault against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is languishing in judicial custody since 11.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Barch, District-Patna in connection with Maranchi P.S. Case No. 100 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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